



February 22, 2008

ENGROSSED SENATE BILL No. 27

DIGEST OF SB 27 (Updated February 5, 2008 10:54 am - DI 107)

Citations Affected: IC 35-33.

Synopsis: Cooling off period for domestic battery. Requires a facility having custody of a person arrested for a crime of domestic violence to keep the person in custody for at least eight hours from the time of the arrest, and prohibits a person arrested for a crime of domestic violence from being released on bail during the eight hour period.

Effective: July 1, 2008.

**Arnold, Steele, Broden, Errington,
Lanane, Lubbers, Zakas**

(HOUSE SPONSORS — LAWSON L, VANDENBURGH, WALORSKI)

January 8, 2008, read first time and referred to Committee on Judiciary.
January 24, 2008, amended, reported favorably — Do Pass.
January 28, 2008, read second time, ordered engrossed.
January 29, 2008, engrossed. Read third time, passed. Yeas 48, nays 0.

HOUSE ACTION

January 30, 2008, read first time and referred to Committee on Judiciary.
February 21, 2008, amended, reported — Do Pass.

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ES 27—LS 6021/DI 106+



February 22, 2008

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 27

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 35-33-1-1.7 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2008]: **Sec. 1.7. (a) A facility having custody of a person arrested**
4 **for a crime of domestic violence (as described in IC 35-41-1-6.3)**
5 **shall keep the person in custody for at least eight (8) hours from**
6 **the time of the arrest.**
7 **(b) A person described in subsection (a) may not be released on**
8 **bail until at least eight (8) hours from the time of the person's**
9 **arrest.**
10 SECTION 2. IC 35-33-8-6.5 IS ADDED TO THE INDIANA CODE
11 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
12 1, 2008]: **Sec. 6.5. The court may not release a person arrested for**
13 **a crime of domestic violence (as described in IC 35-41-1-6.3) on**
14 **bail until at least eight (8) hours from the time of the person's**
15 **arrest.**

ES 27—LS 6021/DI 106+



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SENATE MOTION

Madam President: I move that Senator Steele be added as second author and Senators Broden and Errington be added as coauthors of Senate Bill 27.

ARNOLD

SENATE MOTION

Madam President: I move that Senators Lanane, Lubbers and Zakas be added as coauthors of Senate Bill 27.

ARNOLD

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 27, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 3, delete "law enforcement agency" and insert "facility".

Page 1, line 4, delete "involving domestic or family" and insert "**of domestic (as described in IC 35-41-1-6.3)**".

Page 1, line 12, delete "charged with" and insert "**arrested for**".

Page 1, line 13, delete "involving domestic or family" and insert "**of domestic (as described in IC 35-41-1-6.3)**".

and when so amended that said bill do pass.

(Reference is to SB 27 as introduced.)

BRAY, Chairperson

Committee Vote: Yeas 8, Nays 1.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 27, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 4, after "domestic" insert "**violence**".

Page 1, line 4, delete "IC 35-41-1-6.3) violence" and insert "**IC 35-41-1-6.3)**".

Page 1, line 13, after "domestic" insert "**violence**".

Page 1, line 13, before "on" delete "violence".

and when so amended that said bill do pass.

(Reference is to SB 27 as printed January 25, 2008.)

LAWSON L, Chair

Committee Vote: yeas 9, nays 0.

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